

United States District Court  
Eastern District of Virginia  
Norfolk, Virginia 23510

Chambers of  
Rebecca Beach Smith  
Senior United States District Judge

June 7, 2022

Brian A. Wainger  
Attorney for RMS Titanic, Inc.  
Kaleo Legal  
4456 Corporation Lane, Suite 135  
Virginia Beach, Virginia 23462

Re: R.M.S. Titanic, Inc. v. The Wrecked & Abandoned Vessel  
Case No. 2:93cv902

Dear Mr. Wainger:

In the Status Report filed in the above-referenced case on May 17, 2022, you indicate that four (4) artifacts recovered from the *R.M.S. Titanic* wreck site are set to be auctioned through Guernsey's Auction House ("Guernsey's") this spring, perhaps as soon as June 15, 2022. ECF No. 667; id. Ex. 2. The court understands that the coin, two (2) notes of paper currency, and piece of coal at issue are the same items that G. Michael Harris represents R.M.S. Titanic, Inc. ("RMST" or the "Company") gifted him in 1997. See id. at 2. The court is also aware that RMST has placed Guernsey's on notice "that the Company claims a legal interest in these artifacts." Id. at 2; id. Ex. 2. By copy of this letter to Arlan Ettinger, President of Guernsey's, the court acknowledges your representation of a claim to these artifacts.

In light of your representations, the court hereby requests a report and update on the upcoming auction, RMST's legal interest in the artifacts, and any related legal proceedings. You were correct to point out that the history behind the possession of these artifacts is complicated, and that they may be subject to this court's jurisdiction. See R.M.S. Titanic, Inc. v. Wrecked & Abandoned Vessel, 742 F. Supp. 2d 784, 809-824 (E.D. Va. 2010) (Smith, J.) (Exhibit A (Revised Covenants and Conditions)). I appreciate your bringing this issue to the court's attention.

Brian A. Wainger  
Attorney for RMS Titanic, Inc.  
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Very truly yours,



Rebecca Beach Smith

RBS/erb

cc: David G. Barger  
Attorney for RMS Titanic, Inc.

Kent P. Porter  
Assistant United States Attorney

Jessica Sanders, CEO  
E/M Group - President  
RMS Titanic, Inc.

Mr. Arlan Ettinger, President  
Guernsey's Auction House